

5 January 1983

MEMORANDUM FOR: Chief, Benefits and Services Division  
Chief, Contract and Allowances Division  
Chief, Retirement Affairs Division

25X1 FROM: [REDACTED]  
Deputy Director of Personnel for Special Programs

SUBJECT: Employment and Financial Interest Statements

1. Each year designated employees at pay levels of GS-13 through GS-15 are required by Executive Order 11222 [REDACTED] to file financial interest statements using Form 2630. Attached, for your information, is information provided by OGC on this requirement.

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2. It is requested that you insure that the following individuals in your respective components complete statements for 1982 and submit them, in "Eyes Only" envelopes, through me to the Director of Personnel no later than 18 January 1983:

BSD

DC/BSB  
C/IB  
DC/IB  
C/CPB  
DC/CPB

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CAD

C/CAD  
C/CB  
CB  
C/AB  
AB

RAD

C/RAD  
C/RCEAB

25X1

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3. This year OGC has added to the list of individuals who should normally be required to file financial disclosure reports the following category which is of interest to BSD and CAD:

"Directors, officers or board members who exercise significant decisionmaking authority with respect to financial institutions or organizations comprised primarily of current or former Agency employees (i.e. Credit Union, VIP, GEHA, etc.)"

Most of these individuals are in the SIS, are required to file different financial disclosure reports and need not file a form 2630. There is a possibility, however, that someone is serving in this capacity who must file a statement and is not aware of the requirement. It is, therefore, requested that you review the officials of the following organizations and alert anyone who may be involved:

BSD - GEHA, EAA, PSAS, and EAF

RAD - VIP



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Attachments:  
As Stated

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OGC 82-11145

15 December 1982

MEMORANDUM FOR: Executive Director  
Deputy Director for Administration  
Deputy Director for Science and Technology  
Deputy Director for Operations  
Deputy Director for Intelligence  
Director, Intelligence Community Staff  
✓ Director, Equal Employment Opportunity  
Director of Personnel  
Director, National Intelligence Council  
Inspector General  
Comptroller  
Special Assistant to the Director,  
IC Staff for Emergency Planning  
Director, Office of External Affairs

25X1

FROM:

[REDACTED]  
Deputy General Counsel

SUBJECT:

Conflict of Interest - Employment and  
Financial Interest Statements

1. This is to remind you that you should request certain employees in your components to file their annual statements of employment and financial interests, as discussed below. As you know, each year certain employees at pay levels of GS-13 or higher are required by Executive Order 11222 [REDACTED] to file financial interest statements (Form 2630) that reflect their financial interests as of 30 June of that calendar year. The purpose of this requirement is to enable the Agency to determine the existence of an actual or apparent conflict of interest, and thus to permit appropriate action to be taken to remove the conflict.

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2. Subsequent to the enactment of the Ethics in Government Act of 1978, the Director designated the Deputy General Counsel to be responsible for CIA's implementation of the financial reporting requirements both of the new Act and the Executive Order, and a Financial Disclosure Review Panel has been formed to assist in reviewing these financial reports. The following procedures for submission shall continue to apply, much as they have in the past.

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3. Agency personnel required to file such statements (Form 2630) are as follows:

a. Employees, paid at GS-13, GS-14, GS-15, or at a comparable pay level, in positions determined by the appropriate Deputy Director, operating official, or head of independent office to be responsible for making a Government decision or taking a Government action regarding (1) contracting or procurement, (2) administering or monitoring financial transactions, (3) regulating or auditing private or other non-Federal enterprise, or (4) other activities where the decision or action may have an economic impact on the interests of any non-Federal enterprise; or

b. Employees, paid at GS-13, GS-14, GS-15, or at a comparable level, in any other positions which the appropriate Deputy Director, operating official, or head of independent office otherwise has determined to have duties and responsibilities that require the incumbent to report employment and financial interest in order to avoid involvement in a possible conflict of interest.

In our view, the following individuals are examples of employees who should normally be required to file financial disclosure reports:

- (1) Auditors.
- (2) Attorneys.
- (3) Heads of divisions or comparable organization units.
- (4) Heads of field offices or installations.
- (5) Directors, officers or board members who exercise significant decisionmaking authority with respect to financial institutions or organizations comprised

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primarily of current or former Agency employees (i.e., credit union, VIP, GEHA, etc.).

(6) Employees in positions involving assigned duties and responsibilities which require the incumbent to make fact-finding determinations or to exercise judgment in recommending a decision or an action in regard to:

- (i) Evaluation, appraisal or selection of contracts or subcontracts, prospective contractors, or prospective subcontractors, the proposals of such contractors or subcontractors, the activities performed by such contractors or subcontractors, or determination of the extent of compliance of such contractors or subcontractors with contract provisions.
- (ii) Negotiation, modification or approval of contracts or subcontracts.
- (iii) Evaluation, appraisal or selection of prospective project sites or locations of work or activities, including real property proposed for acquisition by purchase or otherwise.
- (iv) Inspection and quality assurance of material, products or components for acceptability.
- (v) Review or approval for access permits.
- (vi) Technical planning or design which involves the preparation of specifications or technical requirements.

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- (vii) Negotiation of agreements for cooperation or implementing arrangements with foreign countries, international organizations, or non-Federal enterprises.
- (viii) Utilization or disposal of excess or surplus property.
- (ix) Procurement of materials, services, supplies, or equipment.
- (x) Audit of financial transactions.

The above listing is not intended to be all-inclusive, as other officials may be requested to file if it is determined that they are regularly involved in activities where their decision or action has a substantial economic impact on the interests of a non-Federal enterprise.

3. Employees at GS-16 or above are required to complete a different financial disclosure report under the Ethics Act and need not file a Form 2630. Also, employees covered by subparagraph a above may be excluded from the reporting requirement by an appropriate determination that the employee falls within paragraph (4)  Under the provision, employees are excluded from the reporting requirement if the designating official determines that the duties of the employee are such that the likelihood of a conflict is remote, the degree of supervision is such that a statement need not be filed, or that any conflict would have only an inconsequential effect "on the integrity of the Government." With respect to employees classified below the GS-13 level, such employees may be required to file a Form 2630 if they otherwise meet the above-described criterion. If you believe that individuals in your component below GS-13 should be required to file, you should contact this Office immediately and identify the position and individual so designated. 25X1

4. The purpose of this review is to determine whether the duties of the employee involve organizations, persons, or real property in which the employee has a financial interest or an employment relationship. As the instructions accompanying Form 2630 indicate, the relevant financial interests are those of the employee, his spouse, his minor children, and members of his family who reside with him.

5. I suggest that your instructions require submission of all statements to you by 15 January 1983 and that you complete your review no later than 15 February 1983. Procedures for

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submission are prescribed by paragraph (4) [redacted] Upon review and approval each statement should be marked to show the date of such action and the initials or name of the approving official. This review constitutes a certification by the reviewing officials that the financial statement discloses no real or apparent conflict of interest. Those statements that do indicate a conflict or raise a question of conflict should be discussed with this Office or the Financial Disclosure Review Panel member representing your component.

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6. It is the responsibility of this Office to ensure that the steps outlined above have been taken and that the Agency is in compliance with applicable law and regulations. Therefore, I ask that each of you or a designee submit to me by 23 February 1983 a report which contains the names of those employees required to file statements, the number of statements received and approved, and those awaiting final resolution. In the latter case, you should briefly summarize the problem and how you are handling it. Supplementary reports should be made every 30 days until you have received and reviewed financial statements from all employees required to submit them.

7. Members of this Office will be available to advise and assist in the review of statements of employment and financial interest, but you should feel free to consult also with the Financial Disclosure Review Panel member designated for your component. A current list of panel members is attached. If you have any additional questions or comments, please feel free to call me [redacted]

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Attachment: As stated

cc: General Counsel

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